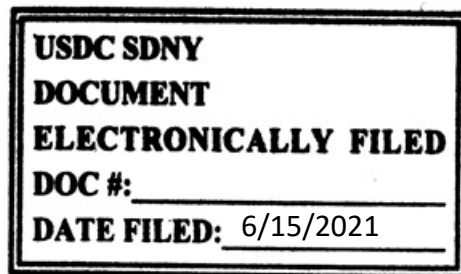


**Wittels
McInturff
Palikovic**



June 14, 2021

Via ECF

Honorable Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Nichols, et al., v. Noom, Inc., et al.*, No. 20 Civ. 3677 (LGS) (KHP)

Dear Judge Parker:

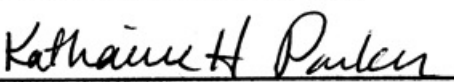
We write jointly on behalf of Plaintiffs and the proposed Class and Defendants Noom, Inc. and Artem Petakov (“Defendants”) in accordance with Your Honor’s Individual Rule § III.d to provisionally redact certain portions of the parties’ joint status letter dated June 14, 2021, ECF No. 338, as well as Exhibit B thereto, Defendants’ Responses and Objections to Plaintiffs’ Second Request for Production of Documents.

The parties’ joint letter and Exhibit B contain information which Defendants have designated “Confidential” pursuant to the operative protective order. Per the Southern District of New York Electronic Case Filing Rules & Instructions § 6.5(a), the parties respectfully submit that the Viewing Level to be applied to the unredacted copies of these documents filed contemporaneously with this letter should be “Selected Parties”—that is, limited to counsel appearing for Defendants Noom and Petakov and Plaintiffs.

Because the parties did not finalize the joint status letter until today, they require additional time to formulate their positions on whether the enclosed information should remain under seal. The parties respectfully request until June 21, 2021 to provide the Court with their positions on whether this information should remain under seal.

Thank you for the Court’s consideration of this matter.

APPLICATION GRANTED


Hon. Katharine H. Parker, U.S.M.J.

Date: June 15, 2021

Respectfully submitted,

/s/ J. Burkett McInturff
J. Burkett McInturff

*Counsel for Plaintiffs and the
Proposed Class*

/s/ Aarti Reddy
Aarti Reddy

Honorable Katharine H. Parker

Page 2 of 2

*Counsel for Defendants Noom, Inc.
and Artem Petakov*

cc: All Counsel of Record (*Via ECF*)